



# **CITY OF SANTA BARBARA**

## **COUNCIL AGENDA REPORT**

**AGENDA DATE:** October 27, 2009

**TO:** Mayor and Councilmembers

**FROM:** Building & Safety Division, Community Development Department

**SUBJECT:** Administrative Citation Program Unpaid Fines Certification

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Amounts of Liens/Special Assessments sought to be collected from Property Owners for Unpaid Administrative Fines.

### **DISCUSSION:**

On July 13, 1999, City Council adopted the Administrative Citation Ordinance (Ordinance No. 5113 establishing Chapter 1.25 of the Municipal Code), which is used to impose and collect civil administrative fines for Municipal Code violations. On April 1, 2003, City Council adopted Ordinance No. 5272 amending Chapter 1.25 of the Municipal Code.

The Administrative Citation Program has continued to be an effective tool in gaining compliance with City regulations relating to unpermitted construction, substandard housing, illegal dwelling units, outdoor dining violations, sign violations, outdoor merchandising, illegal wastewater disposal, garbage service violations, and stormwater and illegal discharges.

In June 2006, the City of Santa Barbara was told by the County Assessor's office that they would no longer be participating in the Property Assessment Lien Program. As such, the County no longer adds the City's administrative citation assessments to property tax billing. Based on this change in circumstance, the administrative citation assessments are now submitted to City Council pursuant to Santa Barbara Municipal Code sections 1.25.130B and 1.25.130C for certification and collection. After certification by City Council, the City Attorney's office files a lien against the property for fines of \$5,000 or more, and fines of less than \$5,000 are sent to a collection agency for recovery.

Delinquent property owners have received notice in accordance with Santa Barbara Municipal Code Section 1.25.060 and have been provided full opportunity to pay their fines. The list of properties with delinquent fines is an exhibit to the Resolution

accompanying this report, and was prepared on October 12, 2009. We expect that some of those on the list will pay their fines before the October 27, 2009 Council meeting. The final list of delinquent property owners will be prepared on October 26, 2009, and submitted to the City Clerk's Office prior to that office confirming the Resolution.

Once the City Council adopts the Resolution, the City Attorney's Office will file a lien on each property with outstanding fines of \$5,000 or more, and the Community Development Department will send all property owners owing less than \$5,000 to a collection agency.

**PREPARED BY:** Larry Cassidy, Building Inspector / Plan Check Supervisor

**SUBMITTED BY:** Paul Casey, Community Development Director

**APPROVED BY:** City Administrator's Office